# Exhibit A

#### Case 5:22-cv-01294-JKP Document 1-3 Filed 12/02/22 Page 2 of 133

#### County Court-at-Law 3

#### **Case Summary**

#### Case No. 2022CV05426

MICHAEL J HOLMES VS MVM INC.	§	Location: County Court-at-Law 3
	§	Judicial Officer: County Court-at-Law, 3

§ Filed on: 11/07/2022

#### **Case Information**

Case Type: DISCRIMINATION
Case Status: 11/07/2022 Pending

#### **Assignment Information**

#### **Current Case Assignment**

Case Number 2022CV05426

Court County Court-at-Law 3

Date Assigned 11/07/2022

Judicial Officer County Court-at-Law, 3

#### **Party Information**

#### Defendant MVM INC.

#### **Events and Orders of the Court**

11/	07/	2022	New	Cases	Filed	(OCA)
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11/07/2022 PLAINTIFF ORIGINAL PETITION

11/07/2022 REQUEST FOR SERVICE AND PROCESS

CITATION CERTIFIED MAIL

11/07/2022 NOTICE OF HEARING

JURY - APRIL 10, 2023

11/10/2022 **Citation** 

MVM INC. Unserved

Anticipated Server: United States Postal Service

11/10/2022 CITATION

MAILED CERTIFIED 9414 8149 0226 3913 3509 50

11/23/2022 PLAINTIFF CORRESPONDING LETTERS

POSITION STATEMENT

11/23/2022 REQUEST

PICKED UP COPY OF CITATION AND CASE SUMMARY

 $12/21/2022 \quad \textbf{Set A.D.R. Docket} \quad (10:00 \text{ AM}) \quad (Judicial \, Officer; \, DAVIS, J. \, FRANK)$ 

04/10/2023 Set Jury Docket (9:00 AM) (Judicial Officer: County Court-at-Law, 10)

Michael J. Holmes

Case No: 2022CV05426

335 Kemper Street

San Antonio, TX 78207

(626) 373-4331

Plaintiff Pro Se Litigant

Michael J. Holmes,

Plaintiff

Bexar County 4

100 Dolorosa Street

San Antonio TX, 78205

MVM INC.

VS.

Defendant

#### Plaintiffs Original Verified Petition

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff is a residence in the State of Texas acting in pro per. The Plaintiff was employed as a subcontractor by the Defendant in San Antonio, Texas.

#### A. Parties

1) The address for the Plaintiff is 335 Kemper Street, San Antonio TX 78207

2) The address for the Defendant is 44620 Guilford Dr., Suite 150, Ashburn, VA 20147

#### B. Nature Of Claim

This suit is brought against the Defendant for violating Title VII of the Civil Rights Act of 1964 and Chapter 21 Texas Labor Code.

#### C. Jurisdiction

Bexar County District Courts have jurisdiction to hear and decide on this case.

#### D. Claim

- While working as a subcontractor for the Defendant, the Plaintiff was interviewed by the Defendant for a permanent position with the Defendant. At the time of the interview there was not a requirement by the Defendant for the applicant to understand and speak Spanish. During the interview the Defendant asks if the Plaintiff "spoke Spanish", the Plaintiff stated "no" and the Defendant gave the Plaintiff three months to become fluent in Spanish. Before the interview was over the Defendant provided the Plaintiff with the Defendants business phone number, and the Defendant told the Plaintiff to stay in contact with the Defendant during the three months.

  Between July 21<sup>st 2021</sup> and Augustus 9th 2021 the Plaintiff contacted the Defendant four times, the Plaintiff spoke to the Defendant three times and the Plaintiff emailed the Defendant with a update. When the Plaintiff contacted the Defendant on August 9<sup>th</sup>, 2021 the Defendant stated the Defendant (supervisor of the Plaintiff) expressed that the Plaintiff was not eligible to be rehired. The Plaintiff contacted the Defendant and the Defendant responded, via text, that the Defendant did not make the statement.
- On July 14, 2021 the Defendant stated the Defendant cannot place the Plaintiff on any more trips
  until the Plaintiff signs the Defendants second NDA form. The Plaintiff submitted one

assignment incident report to the Defendant prior to the Defendant requiring the Plaintiff to sign the Defendants second NDA form.

#### E. Claim Of Discrimination based on the Plaintiffs race

- The Defendant has not required the Defendants subcontractor of another race to fulfill a
  qualification that was not listed (on that date) as a requirement (on the Defendants job posting for
  that position) in order to be qualified and hired for the position.
- The Defendant has not removed the Defendants subcontractor of a different race from working as
  a Travel Youth Care Worker because that subcontractor did not sign the exact (second) NDA the
  Plaintiff received (to continue working as a subcontractor for the Defendant).
- The Defendant has not required their subcontractor of a different race, to sign the sane (second)
   NDA the Plaintiff was asked to sign by the Defendant after the subcontractor of another race
   submitted an assignment incident report (of the same incident) to the Defendant.

#### F. Facts About The Plaintiffs Employment

The Plaintiff started working as a subcontractor on the Travel Youth Care Worker assignment on or around May 17th, 2021 after the Plaintiff signed the first NDA.

#### G. Discovery

This discovery will produce written documents and evidence by the Defendant and the Plaintiff that will show the Defendant racially discriminated against the Plaintiff by requiring different terms and conditions for the Plaintiffs employment.

#### H. Relief Sought

The Plaintiff is seeking punitive relief in the amount of \$95,000.00.

#### Trial Setting

This will be a three day trial with a jury.

#### Statement of Verification

11/7/2022

I have read the above petition and it is correct.

Michael Holmes

335 Kemper Street

San Antonio, TX 78207

(626) 373-4331



# LUCY ADAME-CLARK 2022 NOV -7 AM II: 10 DOLOROSA, SUITE 104 SAN ANTONIO, TEXAS 78205

CIVIL SERVI	CE REQUEST FORM
CASE NUMBER: 2022CV0542	6 DATE: 11/7/2022
ISSUANCE REQUESTED:	
INITIAL CITATION (\$8)	☐ AMENDED PETITION (\$8)
REISSUE (\$8)	CITATION BY PUBLICATION (COURTHOUSE) (\$30)
☐ RULE 106 (\$8)	CITATION BY PUBLICATION (HART BEAT) (\$85)
TYPE OF SERVICE TO BE ISSUED:	
☐ PRIVATE PROCESS	☐ OUT OF COUNTY
CERTIFIED MAIL (\$85)	CONSTABLE'S OFFICE (\$85) PRECINCT (PLEASE INDICATE PRECINCT #
1. PARTY TO BE SERVED:	
NAME: MVM Inc.	
ADDRESS: 44620 @ Givilfo	al Dia Suite 150
CITY: Ashburn STATE	
HOLD FOR PICK-UP	MAIL TO CONTACT
TYPE OF SERVICE TO BE ISSUED:	
☐ PRIVATE PROCESS	OUT OF COUNTY
CERTIFIED MAIL (\$85)	CONSTABLE'S OFFICE (\$85) PRECINCT (PLEASE INDICATE PRECINCT #
2. PARTY TO BE SERVED:	
NAME:	
ADDRESS	
CITY: STATE	ZIP:
☐ HOLD FOR PICK-UP	MAIL TO CONTACT
CONTACT INFORMATION:	
NAME: Michael & Holmes	
PHONE NUMBER: (626) 373-4	1331
ADDRESS: 335 Kemper Street	

<sup>\*</sup> PLEASE SUBMIT \$1 PER PAGE OF PETITION PER DEFENDANT, THANK YOU \*

	E CO!	TLED IN OFFICE
CAUSE NO.	2022CV05424	22 HOV -7 AM 11:18
Michael J. Holmes Plaintiff(s)	8	IN THE COUNTY COURT
VS.	§ §	AT LAW NO. 3
MVIN Jac. Defendant(s)	§ §	BEXAR COUNTY, TEXAS
MOTION TO SET ON	THE JURY & AD	R DOCKET
Motion is now made that the above num  April 10th 2023 on the Jury D  ADR Docket. The estimated length on trial is	ocket. Motion is fur	
Check type of case:	Respectfully su	bmitted,
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Damages Sworn Account	Sen	Antonio, TX 78267
Lease Note Personal Injury Other (please specify: Oscarimination based force)	Fax: ( )	
OR	DER	
The above-styled and numbered cause of day of April 19 <sup>14</sup> , 2023 at 9:30 a.s. County Court at Law No #3 / #10 (circle one), Courthouse, 100 Dolorosa, San Antonio, Texas	m. in the County Civ Suite B.23, basement	vil Presiding Courtroom,
This case is also set on the ADR Docket at 10:00 a.m., in the Presiding ADR Court, Consement floor of the Bexar County Courthouse	ounty Court at Law; , 100 Dolorosa, San	No. 3 , Suite B-23,
Signed this day of	, <u>(OUL</u> 	udge Rodravet

#### CERTIFICATE OF SERVICE

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Service is true and correct.

Case Number: 2022C	V05426	
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	BEXAR COUNTY, TEXAS	
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ON THIS 10TH DAY OF NOVEMBER, 20	22.	
	Lucy Adame-Clark	
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8 - 1	100 Dolorosa Suite 104	
	San Antonio, Texas 78205	
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Officer's Return	Case Number: 2022CV05426	
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	CITATION  E 150  If you or your attorney do not file a way after you were served this citation and quired to make initial disclosures to the acterk. Find out more at TexasLawHelp ON THIS 10TH DAY OF NOVEMBER, 20  Officer's Return	CITATION  If you or your attorney do not file a written answer with the clerk who issued a after you were served this citation and petition, a default judgment may be to puired to make initial disclosures to the other parties of this suit. These disclose a clerk. Find out more at TexasLawHelp.org." Said petition was filed on the 11 ON THIS 10TH DAY OF NOVEMBER, 2022.  Lucy Adame-Clark County Clerk of Bexar Count Bexar County Courthouse 100 Dolorosa Suite 104 San Antonio, Texas 78205  By:

Declarant

# **USPS Tracking®**

FAQs >

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Your item was delivered to the front desk, reception area, or mail room at 12:00 pm on November 15, 2022 in ASHBURN, VA 20147.

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**USPS Tracking Plus®** 

#### **Delivered**

Delivered, Front Desk/Reception/Mail Room

ASHBURN, VA 20147 November 15, 2022, 12:00 pm

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Return Receipt Electronic	~
USPS Tracking Plus®	~
Product Information	



Littler Mendelson, P.C. 2001 Ross Avenue Suite 1500, Lock Box 116 Dallas, TX 75201.2931

Kathryn Blakey 214.880.8164 direct 214.880.8100 main 214.279.6216 fax kblakey@littler.com

November 23, 2022

#### **BY E-FILETEXAS**

Lucy Adame-Clark
County Clerk, Civil Central Filing Department
BEXAR COUNTY COURTHOUSE
100 Dolorosa
San Antonio, TX 78205

Re: Cause No. 2022CV05426

Michael J. Holmes v. MVM Inc.

Dear Clerk:

By way of this letter, we are requesting a copy of the documents filed in the above-referenced matter. According to April with your court, the supervisor has approved that a copy of the citation/service can be provided to us. The request should also include the case summary which lists the documents filed in this case to date. We will have a courier pick up the documents, so please advise if they will be available for pick up today.

If you have any questions, please contact me, or my assistant Sandy McNeely at (214) 880-8146.

Sincerely,

Shareholder

KB/sm

4877-0142-4960.1 / 077115-1000

Michael J. Holmes

Case No:2022CV05426

335 Kemper Street

San Antonio, TX 78207

(626) 373-4331

Plaintiff Pro Se Litigant

Michael J. Holmes,

Bexar County Courts

100 Dolorosa Street

Plaintiff

San Antonio TX, 78205

VS.

**Position Statement** 

MVM INC.

Defendant



#### Table of Contents

- 1. Three Applications Were Submitted...page 3-4
- 2. The Defendant did Not Receive The Plaintiffs Application Before May 17th, 2021...page

5

- 3. Not Able To Be Rehired By the Defendant...page 5-7
- 4. Direct Message from the Plaintiffs Supervisor...page 7-8
- 5. Discrimination...page 9
- 6. No Spanish Question/s were Asked...page 9-14
- 7. Direct Contact with the Defendant...page 15-17
- 8. After The July 21st Interview... page 17
- 9. Temporary Duty Station Assignment Ended...page 20
- 10. Discrimination Based On Race...page 20-21
- 11. Three Reported Workplace Incidents... page 21
- 12. After Signing the First NDA...page 21
- 13. Direct Contact With The Defendant...page 22-24
- 14. The Old and New Job Requirements...page 25-49
- 15. Discrimination Based On Racc...page 49-57
- 16. Work Assignments Received After July 15th, 2021...page 58-111
- 17. Command Center Request...page 112-113
- 18. Qualified For the Position...page 114

#### **Position Statement**

#### 15 Exhibits-Attached

#### Hosea 12:6 Maintain love and justice.

#### Three Applications Were Submitted

The Plaintiff submitted three applications to the Defendant., one for their logistics position, and two for their Travel Youth Care Worker Position that did not have being fluent in Spanish as a requirement. (Exhibit 1).

4



### Michael Holmes -Candidate Home

My Tasks

No tasks to complete.

#### Submitted Applications

3 items		74
Job	Status	Actions
Travel Youth Care Worker - ORR Pomons	Under consideration	Manag
Logistics Specialist	Under consideration	Manag
Travel Youth Care Viorker	Under consideration	Manag
Search I	or Jobs	
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#### The Defendant did Not Receive The Plaintiffs Application Before May 17th, 2021

The Plaintiff applied for the Travel Youth Care Worker Position after the Plaintiff was hired by Headway Workforce Solutions, and Delta-T Group as a subcontractor for the Defendant on or around May 16<sup>th</sup>, 2021. The Plaintiff did not know about the Defendant until May, 2021.

#### Not Able To Be Rehired By the Defendant

On August 9<sup>th</sup>, 2021 at approximately 11:00am the Plaintiff called the Defendant to provide a update regarding the Plaintiffs progress in becoming fluent in Spanish. The Plaintiff began the conversation with a complete sentence spoken in Spanish. The Defendant stated "Michael it sounds good, and thank you for sending the email (Exhibit 2),

(Exhibit 2: Email-the Plaintiff also applied to be a logistics specialist for the Defendant)

## Re: R-2100701 Logistics Specialist





me

To campbells@mvminc.com Jul 30, 2021 at 8:18 AM

@ 1 attachment

Gracias. Me entrevistaron el 21 de julio de 2021. A amazing person named Ms. Campbell interviewed me for the TS position. and stated that she enjoyed the interview and that in approximately 3 months I can call back once I have become fluent in Spanish. He estado estudiando y memorizando las oraciones y frases y me encanta. This opportunity and possibility is amazing. I love being apart of such a amazing organization, where everyone's goal is to help, and inspire everyone. 1 world 1 family.

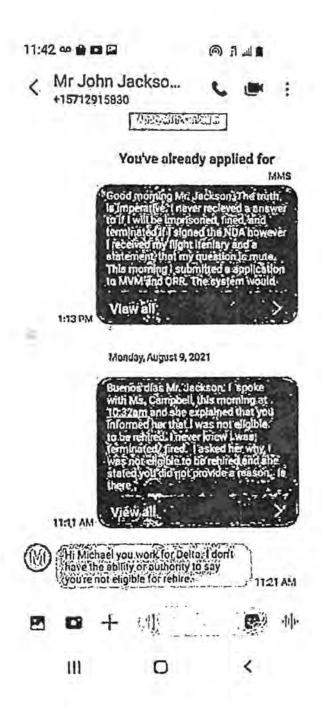
Show original message

however your supervisor told us that you are not eligible to be rehired". The Plaintiff asked the Defendant "what is the reason that was given to you". The Defendant said "there was no reason provided".

#### Direct Message from the Plaintiffs Supervisor

After the Plaintiffs phone call with the Defendant, the Plaintiff contacted n the Plaintiffs supervisor Mr. John Jackson via text message and the Plaintiff texted, "Buenos dias Mr. John Jackson. I spoke with Ms. Campbell, this morning at 10:32am and she explained that you informed her that I was terminated /fired. I asked her why, I was not eligible to be rehired and she stated you did not provide a reason. Is there any information you can provide me"? At 11:21am Mr. John Jackson replied via text message, Hi Michael you work for Delta. I don't have the ability or authority to say you're not eligible for rehire (Exhibit 3).

#### Exhibit 3



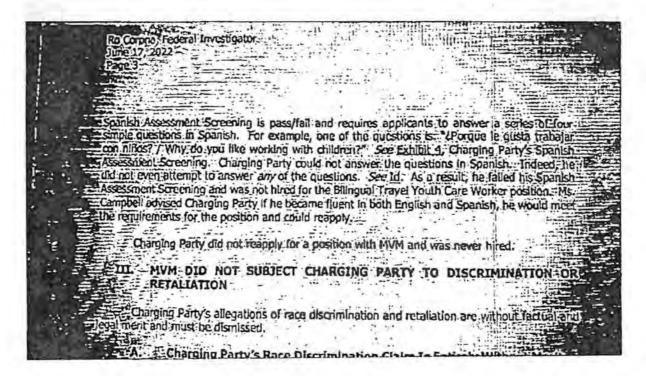
#### 9

#### Discrimination

The Plaintiff is a Black male that has be discriminated against by the Defendant because of the Plaintiffs race.

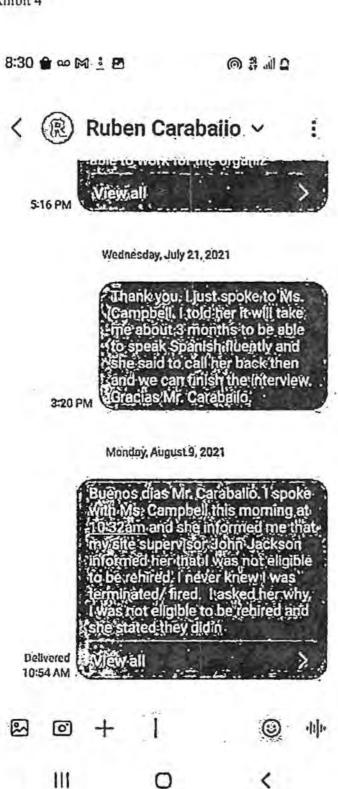
1) The Defendant has not interviewed a subcontractor (employed by Headway Workforce Solutions and Delta-T Group) of a different race, and 1)gave them a time frame to become fluent in Spanish 2) provided the applicant/subcontractor the direct number to call the Defendant to provide updates, to when that applicant/subcontractor will be ready to have a fluent conversation with the Defendant to fulfill the (alleged) requirement to speak fluent Spanish, then tell the applicant/subcontractor that the applicant's supervisor stated that the applicant/subcontractor could not be rehired by the Defendant that the applicant/subcontractor was never hired by.

No Spanish Questions Were Asked



The Plaintiff was never asked by the Defendant to answer any questions in Spanish. The Defendant inquired to the Plaintiff if the Plaintiff knew how to speak Spanish and the Plaintiff stated "not now but I am currently practicing" the Plaintiff and the Defendant set a time frame for the Plaintiff to become fluent in Spanish and the Defendant stated "when that time comes just call me back, and we will finish the interview" (Exhibit 4).

Exhibit 4



8:31 🛖 🚥 🕅 🛓 🖭 Ruben Carabalio ~ Monday, July 19, 2021 Training yes thank you who this: Ok i let you know 227 PM Tuesday, July 20, 2021 Please text me.

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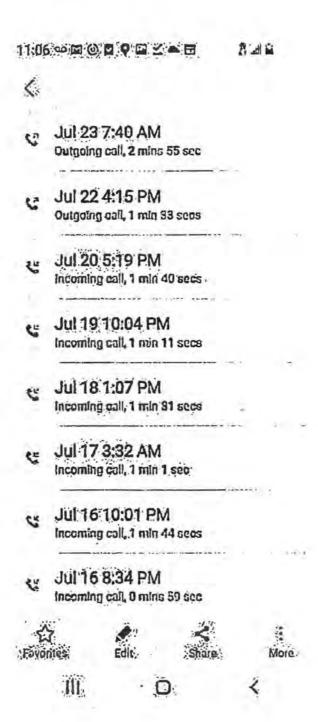
III

#### Direct Contact with the Defendant

On or around July 16<sup>th</sup>, 2021 when the Plaintiff returned to San Antonio after fulfilling the Defendants assignment at the Defendants temporary duty station, the Plaintiff went to the Defendants office (where the Plaintiff would go to sign in for each assignment) and the Plaintiff explained to the Defendant, that the Plaintiff loved this career and wanted to interview for a position with the Defendant. The Plaintiff explained to the Defendant that the Plaintiff submitted an application prior to the Plaintiffs previous work assignment. The Defendant provided the Plaintiff with the Defendants direct phone number and the Defendant stated "call me and we will get an interview set up". The Defendant remained in consistent contact with the Defendant (Exhibit 5)

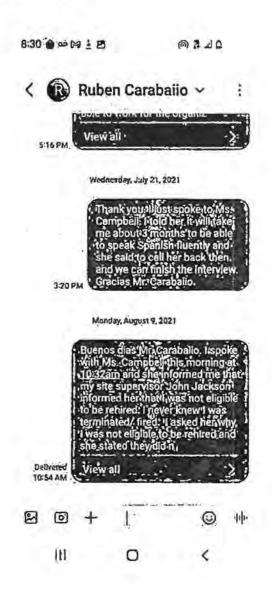
#### Exhibit 5





On July 21<sup>st</sup> 2021, after the Defendant contacted the Plaintiff for an interview via phone the Plaintiff contacted the Defendant to thank the Defendant and to provide the Defendant the (alleged) requirement to speak Spanish, the steps the Plaintiff was taking to become fluent in Spanish, and the timeline the Defendant gave the Plaintiff to reach that goal (Exhibit 6).

#### Exhibit 6

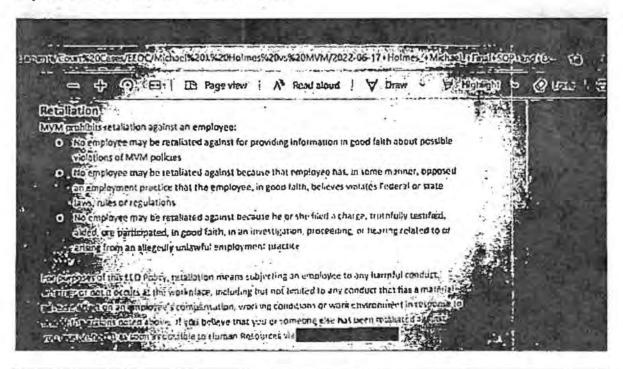


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62	Jon Hall-NWCC	1:41	PM
S.	Sandra Campbell- Hiring Manager-MVM	1:10	РМ
25	Ruben Carabailo	12:41	PM
83	Ruben Carabaiio	12:20	PM
८३	(626) 966-5212 (3)	10:43	AM
53	Jon Hall-NWC	6:51	AM
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The Defendant told the Plaintiff "continue to call (MVM INC.) Sandra Campbell and provide updates".

#### Temporary Duty Station Assignment Ended

On approximately July 14<sup>th</sup>, 2021 the Defendant, Headway Workforce Solution and Delta-T Group ended the Plaintiffs assignment with the Defendant because the Defendant required the Plaintiff to sign a second NDA, which stated that the Plaintiff could/will be terminated, fined and imprisoned for acts that the Plaintiff has done.



Discrimination Based On Race

The Defendant has not required a subcontractor of a different race to fill out the exact same, second NDA that the Plaintiff was asked to fill out after, that subcontractor has filed three incidents reports with Delta-T Group and one incident report with the Defendant regarding incidents that occurred during the assignment/s.

#### Three Reported Workplace Incidents

The Plaintiff reported three work place incidents to Delta-T Group (Richards Blaisdell). The work place incidents that occurred are 1) the Defendants assigned Team Leader for an assignment left the Plaintiff at an airport in another state without a ticket to fly back to San Antonio, 2) the Defendants assigned TS went into the Plaintiffs online government account from the Defendant and entered false information, and 3) the Defendants assigned Team Leader left the Plaintiff at the hotel when the Team Leader went to the airport (the Plaintiff has video evidence of this incident. The videos show what the Plaintiff had to do after).

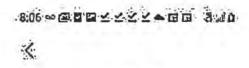
#### After Signing the First NDA

On or around May 17th, 2021 the Plaintiff signed one NDA for the Defendant and began to receive assignments from the Defendant approximately from May 19th, 2021 to July 14th, 2021. The Plaintiff has submitted three applications to be employed by the Defendant. There was not a requirement at that time for the Plaintiff to be fluent in speaking and understanding Spanish. While the Defendant and the Plaintiff were trying to resolve this matter the Defendant provided a document of the (alleged) application where the Plaintiff did not include another language, however the Defendant interviewed the Plaintiff because speaking Spanish was not a requirement.

#### Direct Contact with the Defendant

The Plaintiff contacted the Defendant four times. The Plaintiff spoke to the Defendant three times and the Plaintiff sent the Defendant an email (Exhibit 7).

Exhibit 7





Sandra Campbell- Hiring Manager-MVM +1 571-223-4640®







View contact detalls

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- Jul 22 9:38 AM Outgoing call/Mobile/2 mins 47 sec
- Jul 21 3:10 PM
  Incoming call/Mobile/5 mins 17 sec

III /Ø «

# Re: R-2100701 Logistics Specialist





me

To campbells@mvminc.com Jul 30, 2021 at 8:18 AM

1 attachment

Gracias. Me entrevistaron el 21 de julio de 2021. A amazing person named Ms. Campbell interviewed me for the TS position, and stated that she enjoyed the interview and that in approximately 3 months I can call back once I have become fluent in Spanish. He estado estudiando y memorizando las oraciones y frases y me encanta. This opportunity and possibility is amazing. I love being apart of such a amazing organization, where everyone's goal is to help, and inspire everyone. 1 world 1 family.

> Show original message

#### The Old and New Job Requirements

From the inception of becoming a subcontractor through Headway Workforce Solutions and Delta-T Group the Defendant did not have a Spanish speaking requirement for the Plaintiffs subcontractor position/employment with the Defendant. Approximately nine months later the Defendant has made being fluent in Spanish a requirement (Exhibit 9).





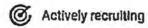
Michael Holmes

# Top job picks for you



**Travel Youth Care Worker** 

MVM, Inc. · San Antonio, Texas, United States



BCAFS

Case Aide

BCFS Health & Human Services · San Antonio, Texas, United States

Be one of the first 2 applicants



**Vocational Rehab Counselor** 

Texas Health and Human Services · San Antonio, Texas, United States

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Q Search for Jobs



### About MVM, Inc.

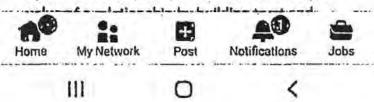
Service, Support, Success are the pillars upon which MVM's founders built the company, and they continue to serve as MVM's core values. Along with our uncompromising insistence on integrity and ethical business practices, these values make us the service provider of choice for our customers and the employer of choice for our dedicated team members.

Working at MVM, Inc. takes a certain kind of person; we want someone who identifies with our values and is willing to challenge themselves both personally and professionally. We seek employees who are passionate about serving and making a difference in lives of others.

We're looking to add a Travel Youth Care Worker. If you can envision joining a team where you will have the opportunity to provide mission driven results; then we are looking for you!

Here's what you need to be successful in this role:

- Coachable Open to constructive criticism, with a strong desire to implement and sustain feedback by others
- Customer service orientated Understand the



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- 37 6
- Coachable Open to constructive criticism, with a strong desire to implement and sustain feedback by others
- Customer service orientated Understand the value of a relationship by building trust and relating to the customer to ensure the conversation progresses properly and on tract.
   Honest and have the integrity to do what's right for our customers and for the business
- Curious Actively seek information pertaining to our business, services and customer base
- Committed Have the passion and perseverance for what you want to accomplish
- Willing to support critical duties Support responsibilities that must continue to be performed during crisis situations and contingency operations

#### What You'll Get to Do!!

The Travel Youth Care Workers must have a compassion for children and are passionate about serving and making a difference in the lives of others. Provide humble care and service to unaccompanied children and teens, while you are accompanying them on domestic flights and via ground transportation to shelters all over the country. During these trips, the Travel Youth Care Workers use their language skills to communicate in











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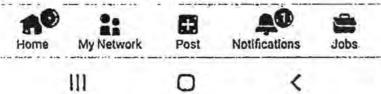
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#### What You'll Get to Dol!

The Travel Youth Care Workers must have a compassion for children and are passionate about serving and making a difference in the lives of others. Provide humble care and service to unaccompanied children and teens, while you are accompanying them on domestic flights and via ground transportation to shelters all over the country. During these trips, the Travel Youth Care Workers use their language skills to communicate in a way that is culturally sensitive, while fostering a safe and comfortable environment.

## Key functions you will perform!

- Provide a humble care and service to unaccompanied minors of all age groups while accompanying them via domestic flights and/or ground transportation to select government facilities.
- Provide minors and family member(s) with meals, clean weather appropriate clothing, and any other items which may be needed for travel.
- Communicate with children and teens in a way that is culturally-sensitive, while fostering a safe and humane environment.
- Ability to travel frequently as required to fulfill the obligations and responsibilities of the position with a minimum of three (3) days

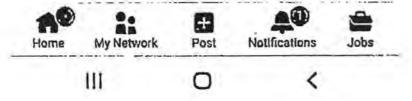


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## Key functions you will perform!

- Provide a humble care and service to unaccompanied minors of all age groups while accompanying them via domestic flights and/or ground transportation to select government facilities.
- Provide minors and family member(s) with meals, clean weather appropriate clothing, and any other items which may be needed for travel.
- Communicate with children and teens in a way that is culturally-sensitive, while fostering a safe and humane environment.
- Ability to travel frequently as required to fulfill
  the obligations and responsibilities of the
  position with a minimum of three (3) days
  consecutively at a time and with short notice.
- Willingness to support critical duties and responsibilities that must continue to be performed during crisis situations and contingency operations.
- Necessary responsiveness will require certain special considerations, such as extended overnight travel, nights and weekends, rotational hours of work, and on-call status.
- Be honest, act with integrity, and keep the conversation focused on helping and nurturing children.
- Performs other duties as assigned.

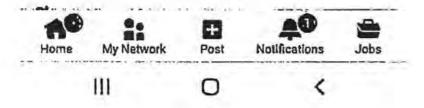


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- Necessary responsiveness will require certain special considerations, such as extended overnight travel, nights and weekends, rotational hours of work, and on-call status.
- Be honest, act with integrity, and keep the conversation focused on helping and nurturing children.
- Performs other duties as assigned.

## What You Will Need To Have

- Possess an Associate degree in an appropriate discipline from an accredited college (a high school diploma with one or more years of extra relevant experience may be substituted for an associate degree) and,
- Have at least two years of documented experience in a field related to law, social work, or similar occupational area; as well as certification, licensure, and credentials applicable to the professional accreditation of the position, if applicable (a minimum of three years of experience in a related field is required when a high school diploma with one or more years of relevant experience is substituted for an associate degree)
- Valid driver's License
- Have resided in the U.S for at least three (3) of the last five (5) years
- MUST BE local to your location



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certification, licensure, and credentials applicable to the professional accreditation of the position, if applicable (a minimum of three years of experience in a related field is required when a high school diploma with one or more years of relevant experience is substituted for an associate degree)

- · Valid driver's License
- Have resided in the U.S for at least three (3) of the last five (5) years
- · MUST BE local to your location

## Clearance

 Applicants selected will be subject to a Government background investigation and may need to meet eligibility requirements for access to classified information

# Security Requirements

- · U.S. Citizenship
- Ability to obtain/maintain a Security Clearance
- · Favorable credit check

## Preferred Qualifications

- Active security clearance is preferred
- Ability to deliver the highest quality of work under extreme pressure
- · Strong organizational and communication skills
- Analytical and problem-solving skills



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### Clearance

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- · Favorable credit check

## Preferred Qualifications

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- Ability to deliver the highest quality of work under extreme pressure
- Strong organizational and communication skills
- · Analytical and problem-solving skills.
- These requirements are thoroughly reviewed during the employment screening process.
   Acceptance for this opportunity is dependent upon meeting all qualification/selection criteria.

### We Offer...

- Paid training, fun, talented and driven teammates



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- Strong organizational and communication skills
- · Analytical and problem-solving skills
- These requirements are thoroughly reviewed during the employment screening process.
   Acceptance for this opportunity is dependent upon meeting all qualification/selection criteria.

### We Offer...

- Paid training, fun, talented and driven teammates.
- Knowledgeable, encouraging and present leadership
- · A diverse and community-minded organization
- Career growth and learning opportunities for aspiring minds
- A competitive benefits package, and fosters a highly skilled, energized and empowered workforce.
- Due to the high volume of applications received, the Recruiting Department will contact you directly, should you be selected to advance in our recruitment process.

# If you have what it takes, apply now!!

For more information about the company please visit our website at www.mvminc.com MVM is an Equal Opportunity Employer and does not discriminate against any employee or applicant for employment because of race, color, sex, age, national origin, religion, sexual orientation, gender identity, status as a veteran, disability or any other











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We are hiring locally for this position. The starting pay is \$19.96/hour.

The position is 100% travel and candidates must be able to start immediately

Please, watch this video to learn more: <a href="https://vimeo.com/user69627426/review/541828283/ab8a4885bd">https://vimeo.com/user69627426/review/541828283/ab8a4885bd</a>

## About MVM, Inc.

Service, Support, Success are the pillars upon which MVM's founders built the company, and they continue to serve as MVM's core values. Along with our uncompromising insistence on integrity and ethical business practices, these values make us the service provider of choice for our customers and the employer of choice for our dedicated team members.

Working at MVM, Inc. takes a certain kind of person; we want someone who identifies with our values and is willing to challenge themselves both pily. We seek empliabout serving and lives of others.

We're looking to add a Travel Youth Care

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lives of others.

We're looking to add a Travel Youth Care Worker. If you can envision joining a team where you will have the opportunity to provide mission driven results; then we are looking for you!

Here's what you need to be successful in this role:

- Coachable Open to constructive criticism, with a strong desire to implement and sustain feedback by others
- Customer service orientated Understand the value of a relationship by building trust and relating to the customer to ensure the conversation progresses properly and on tract.

   Honest and have the integrity to do what's right for our customers and for the business
- Curious Actively seek information pertaining to our business, services and cus-
- Committed
  and perseve PLAYWILDNOUTLIVE.COM
  want to acc
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ties - Support responsibilities.

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- Committea Have the passion and perseverance for what you want to accomplish
- Willing to support critical dutles - Support responsibilities that must continue to be performed during crisis situations and contingency operations

### What You'll Get to Do!!

Travel Youth Care Workers must have a compassion for children and a passion for making a difference in the lives of others. You will provide humble care and service to children and teens while you are accompanying them on domestic flights and via ground transportation to be reunified with their guardians. During these trips, you will communicate in a way that is culturally sensitive and that fosters a safe and comfortable environment.

This is a project-based job lasting 2-12 months (length depends on your availability and the need for trips).

# Key functions you will perform!

- Accompany
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- Provide mir

any other Items which may he

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sitive and that fosters a safe and comfortable environment.

This is a project-based job lasting 2-12 months (length depends on your availability and the need for trips).

## Key functions you will perform!

- Accompany minors on domestic flights and/or ground transportation to be reunified with their guardians.
- Provide minors with meals and any other items which may be needed for travel.
- Communicate with children and teens in a way that is culturally sensitive and fosters a safe and comfortable environment.
- Ability to work at least three
   12-hour shifts in a week.
- Be honest, act with integrity, and keep the conversation focused on helping and nurturing children.
- Performs of assigned.

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cused on helping and nurturing children.

· Performs other duties as assigned.

## What you will need to have:

- · Possess a high school diploma with one or more years of relevant work experience,
- · Valid Driver's License
- · Ability to travel frequently, Including overnight, early in the morning, or on holidays and weekends, as required to fulfill the obligations and responsibilitles of the position,

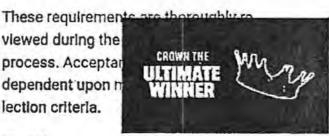
## Security Requirements:

· Favorable background and motor vehicle check

## Preferred Qualifications:

- Strong communication skills
- · Bilingual English/Spanish

viewed during the process. Acceptar dependent upon n lection criteria.



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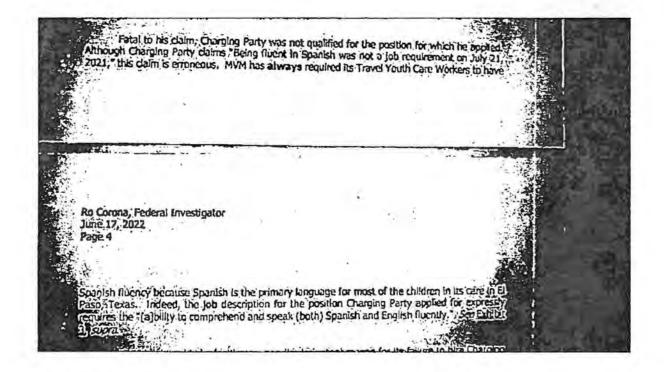
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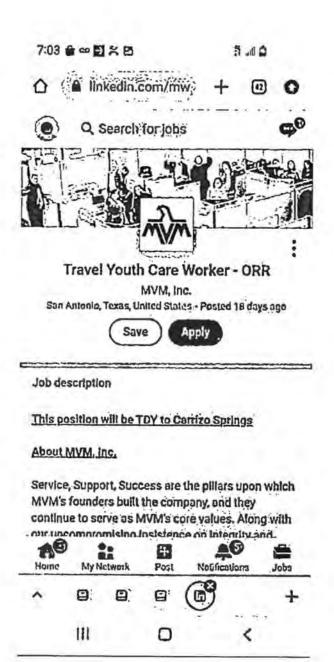


The document the Defendant sent the Plainitff stated that being fluent in spanish has always been a requirement (Exhibt 9). That is not true

### Exhibit 9



New Job Requirements



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Service, Support, Success are the pillars upon which MVM's founders built the company, and they continue to serve as MVM's core values. Along with our uncompromising insistence on integrity and ethical business practices, these values make us the service provider of choice for our customers and the employer of choice for our dedicated team members.

Working at MVM, Inc. takes a certain kind of person; we want someone who identifies with our values and is willing to challenge themselves both personally and professionally. We seek employees who are passionate about serving and making a difference in lives of others.

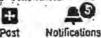
We are looking to add a Travel Youth Care Worker. If you can envision joining a team where you will have the opportunity to provide mission driven results; then we are looking for you!

Here's what you need to be successful in this role:

- Coachable: You are open to constructive criticism, with a strong desire to implement and sustain feedback by others, with ability to follow a workflow process
- Customer service orientated: You understand the value of a relationship by building trust and relating to the customer to ensure the conversation progresses properly.









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Here's what you need to be successful in this role:

- Coachable: You are open to constructive criticism, with a strong desire to implement and sustain feedback by others, with ability to follow a workflow process
- Customer service orientated: You understand the value of a relationship by building trust and relating to the customer to ensure the conversation progresses properly
- Committed: You have the passion and perseverance for what you want to accomplish
- Supportive Mentality: Be honest, act with integrity, and keep the conversation focused on helping and nurturing children
- Frequent Travel: As required to fulfill the obligations and responsibilities of the position with a minimum of four (4) days consecutively at a time and with short notice
- Cridical Duties: Support responsibilities that must continue to be performed during crisis situations and contingency operations.
   Necessary responsiveness will

What You will Get to Do!!

The Travel Youth Care Worker (TYCW) must have a compossion for children and are possionate about serving and making a difference in the lives of others. Provide humble care and service to unaccompanied children and teens, while you are



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What You will Get to Doll

The Travel Youth Care Worker (TYCW) must have a compassion for children and are passionate about serving and making a difference in the lives of others. Provide humble care and service to unaccompanied children and teens, while you are accompanying them on domestic flights and/or via ground transportation to facilities all over the country. During these trips, the TYCW use their language skills to communicate in a way that is culturally sensitive, while fostering a safe and comfortable environment. The TYCW completes all paperwork and standard operating procedures to for the transportation, securing their personal property, and any medication; provides an orientation; ensures the physical, emotional, and health needs are met; vigilant of surroundings at all times; sets behavioral expectations, provides consistent, and appropriate behavioral guidance. The TYCW reports on trip progress throughout the transport and submits a final report upon completing every trip.

## Key functions you will perform!

 Responsible for the safe and secure transportation of unaccompanied minor(s) and families in a humane manner and in accordance with MVM's established transportation by land and air policies and procedures

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final report upon completing every trip.

## Key functions you will perform!

- Responsible for the safe and secure transportation of unaccompanied minor(s) and families in a humane manner and in accordance with MVM's established transportation by land and air policies and procedures
- Ensures that an orientation is provided to all children and families in a language they understand
- Reviews the documentation to ensure it contains all information needed for travel
- Completes, verifies, and provides documentation to all parties involved
- Prepares to work with uncooperative individuals in both controlled and uncontrolled situations.
- Prepares meals and snacks for the children and/or family units for the duration of the transport.
- Logs transportation details, such as medication, meals offered, eaten, and refused.
- Provides clean and appropriate clothing based upon weather conditions at destination location.
- Reports into the Command Center at established check points and advices on any changes, disruptions or concerns throughout the transportation route. Logs information.



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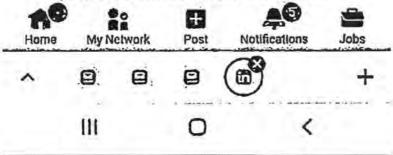


UAC and or family members to include the type of medication, the numbers of times the medication is administered throughout the transport and any irregularities from what the prescription directs.

 Employees may be assigned to overnight, weekends, or holiday shifts to support 24/7 operations.

### What You Will Need To Have

- Associate degree in an appropriate discipline from an accredited college (a high school diploma with one or more years of extra relevant experience may be substituted for an associate degree)
- Have at least two (2) years of documented experience in a field related to social work or similar occupational area; as well as certification, licensure, and credentials applicable to the professional accreditation of the position, if applicable (a minimum of three years of experience in a related field is required when a high school diploma with one or more years of relevant experience is substituted for an associate degree)
- Available for domestic travel 100% required.





### What You Will Need To Have

- Associate degree in an appropriate discipline from an accredited college (a high school diploma with one or more years of extra relevant experience may be substituted for an associate degree)
- Have at least two (2) years of documented experience in a field related to social work or similar occupational area; as well as certification, licensure, and credentials applicable to the professional accreditation of the position, if applicable (a minimum of three years of experience in a related field is required when a high school diploma with one or more years of relevant experience is substituted for an associate degree)
- Available for domestic travel 100% required.
   International travel voluntary
- Ability to comprehend and speak (both)
   Spanish and English fluently
- Ability to pass a Government Security Background Investigation and including a favorable credit check
- Possess a valid and current driver's License.

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- Ability to pass a Government Security
   Background Investigation and including a favorable credit check
- · Possess a valid and current driver's License.

#### Clearance

 Applicants selected will be subject to a Government background investigation and may need to meet eligibility requirements for access to classified information.

## Security Requirements

- · U.S. Citizenship
- Ability to obtain/maintain a Security Clearance
- · Favorable credit check

These requirements are thoroughly reviewed during the employment screening process. Acceptance for this opportunity is dependent upon meeting all qualification/selection criteria.

### We Offer...

- Pald training, fun, talented and driven teammates
- Knowledgeable, encouraging, and present leadership
- A diverse and community-minded organization
- Career growth and learning opportunities for aspiring minds
- A competitive benefits package, and fosters a highly skilled, energized, and empowered workforce.











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#### Discrimination Based On Race

In the Defendants document the Defendant provides the Defendants definition of race discrimination and the actions that will follow when race discrimination has occurred (Exhibit 10).

#### Exhibit 10

but rather concludes baselessly one decision not to nire nim for the travel room care worker position must have been based on his race. The undisputed facts demonstrate MVM treated Charing Party lawfully and his allegations are meritless.

In any event, to prevail on a failure to hire discrimination claim under Title VII, Charging Party must show: (1) he is a member of a protected class; (2) he applied and was qualified for a position for which MVM was accepting applications; (3) despite his qualifications, he was not hired; and (4) the position remained open or was filled by another person outside of his protected class. If Charging Party can establish a prima facie case of discrimination, the burden shifts to MVM to provide a legitimate, nondiscriminatory reason for its failure to hire Charging Party Charging Party must then prove MVM's legitimate business reason for not hiring him is protext. (i.e., an intentional lie) for race discrimination. Charging Party cannot make this showing.

At the outset, Charging Party's failure to hire claim falls because there is no evidence the decision-makers were motivated to discriminate based on race. To prove a prima face case of discrimination, there must be some indication the decision-makers knew of the applicant's status as a protected individual and intended to discriminate on this basis. There is no such indication have

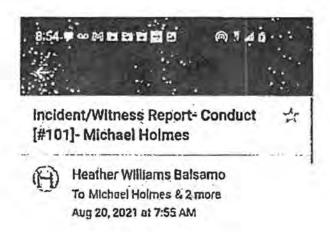
Fatal to his claim, Charging Party was not qualified for the position for which he applied. Although Charging Party claims "Being fluent in Spanish was not a job requirement on July 21, this claim is erroneous. MVM has always required its Travel Youth Care Workers to have

The Plaintiff is a black male that has been discriminated against by the Defendant due to the Plaintiff's race.

- 1) The Defendant has not required someone of another race to fulfill a requirement that was not a requirement for the Travel Youth Care Worker Position when the applicant was interviewed by the Defendant for the Travel Youth Care Worker position
- 2) The Defendant denying the Plaintiff the ability to be hired by the Defendant because the Plaintiff is ineligible to be rehired by the Defendant that did not hire the Plaintiff. The Defendant has not refused to hire a subcontractor employed by Headway Workforce Solutions and Delta-T Group of another race because the Defendant stated that the subcontractor was ineligible to be rehired by the Defendant.
- 3) The Defendant did not allow the Plaintiff to accept work assignments because the Plaintiff did not sign the second NDA prepared by the Defendant.
  The Defendant has not required a subcontractor of a different race to sign the identical second NDA that the Defendant requested the Plaintiff to sign after, that subcontractor made the exact (1) incident reports that the Plaintiff has made regarding the action from the TS assigned by the Defendant, did.

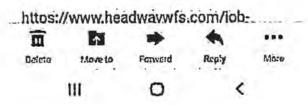
The second NDA prepared by the Defendant was provided to Headway Workforce Solutions, and Delta-T Group to give to the Plaintiff (Exhibit 11).

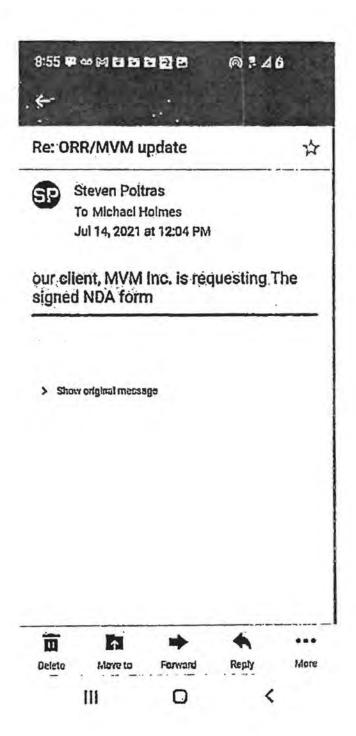
Exhibit 11



Hi Michael,

You are more than welcome to get a legal opinion on the NDA form, but you did already sign this when you signed our Headway handbook. The one for the client is just an additional form they require signed. This is a common NDA form used. You are welcome to apply with us for other opportunities that you feel might be a better fit. I have listed the link below.







SP Steven Poitras
To Michael Holmes
Jul 14, 2021 at 2:08 PM

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# Michael,

Unfortunately, after several attempts to receive your signed ORR NDA form, as of 5pm EST today, your status has been moved to "Inactive" status, and your assignment has ended.

Please look for an email from MVM travel regarding your flight home.

We look forward to working with you again as new opportunities arise.

## 

This is the second NDA the Defendant is requesting the Plaintiff to sign.

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ORR NDA for all MVM employees Michael Ho

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### ATTACHMENT C - NONDISCLOSURE/CONFLICT OF INTEREST STATEMENT

Nondisclosure/Conflict Of Interest Statement

DATE:

SUBJECT: NONDISCLOSURE/CONFLICT OF INTEREST STATEMENT

The proper custody, use and preservation of official information related to acquisitions (pre-solicitation information, solicitation information, validation, evaluation, source selection proceedings, exchanges, discussions, etc.) cannot be overemphasized. It is essential that all personnel associated with the procurement actions as an activity representative strictly compty with the applicable provisions of governing regulations and statutes including, but not limited to Section 1905 of Title 18, United States Code.

Section 1905 of Title 18, United States Code, provides for the following:

Whoever, being an officer, employee or subcontractor acting on behalf of (Insert corporation name), publishes, divulges, discloses, or makes known in any manner or to any extent not authorized by law any information coming to him/her in the course of his/her employment or duties or by reason of any examination or investigation made by, or return, report or record made to or filled with, such officer or employee thereof, which information concerns or relates to the trade secrets, processes, operations, style of work, or epparatus, or to the identity, confidential statistical data, amount or source of any income, profits, losses, or expenditures of any person, firm, partnership, corporation, or association; or permits any income return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; shall be fined under this title, or imprisoned not more than one year, or both; and shall be removed from office or employment:

It is understood that it may be necessary for you to obtain, generate, or access confidential commercial or financial information, as well as sensitive Government information, including but not limited to confidential commercial or financial data obtained from or contained in vendor submitted documents and proposals. Furthermore, by signing this document, you admovidedge that unless otherwise authorized, the release of information of this type shall be at the sole discretion and direction of the Contracting Officer, consistent with applicable laws and regulations.

Unless otherwise authorized by the Contracting Officer (or designee) or appropriate legal authority, you shall not disclose or reveal any information regarding contract number 75ACF121C00023 to anyone not also cleared for access (and then only on a strict need

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The proper custody, use and preservation of official information related to acquisitions (pre-solicitation information, solicitation information, validation, evaluation, source selection proceedings, exchanges, discussions, etc.) cannot be overemphasized. It is essential that all personnel associated with the procurement actions as an activity representative strictly comply with the applicable provisions of governing regulations and statutes including, but not limited to Section 1905 of Title 18, United States Code.

Section 1905 of Title 18, United States Code, provides for the following:

Whoever, being an officer, employee or subcontractor acting on behalf of (insert corporation name), publishes, divulges, discloses, or makes known in any manner or to any extent not authorized by law any information coming to him/her in the course of his/her employment or duties or by reason of any examination or investigation made by, or return, report or record made to or filed with, such officer or employee thereof, which information concerns or relates to the trade secrets, processes, operations, style of work, or apparatus, or to the identity, confidential statistical data; amount or source of any income, profits, losses, or expenditures of any person; firm; partnership; corporation, or association; or pennits any income return or copy thereof or any book containing any abstract or portleulars thereof to be seen or examined by any person except as provided by law; shall be fined under this title, or imprisoned not more than one year, or both; and shall be removed from office or employment.

It is understood that it may be necessary for you to obtain, generate, or access confidential commercial or financial information, as well as sensitive Government information, including but not limited to confidential commercial or financial data obtained from or contained in vendor submitted documents and proposals. Furthermore, by signing this document, you acknowledge that unless otherwise authorized, the release of information of this type shall be at the sole discretion and direction of the Contracting Officer, consistent with applicable laws and regulations.

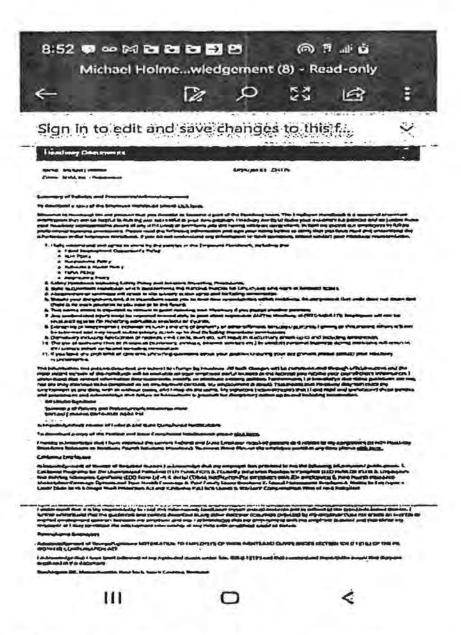
Unless otherwise authorized by the Contracting Officer (or designee) or appropriate legal authority, you shall not disclose or reveal any information regarding contract number 75ACF121C00023 to anyone not also cleared for access (and then only on a strict need to know basis).

By signing this document, you acknowledge that you are aware that the unauthorized disclosure of any information regarding this sensitive procurement information may subject you to criminal and/or civil penalties.

The undersigned acknowledges that they have read and understand the contents of this document.

NAME:			
SIGNATURE:	DATE:		
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This is the first NDA by the Defendant was signed by the Plaintiff.

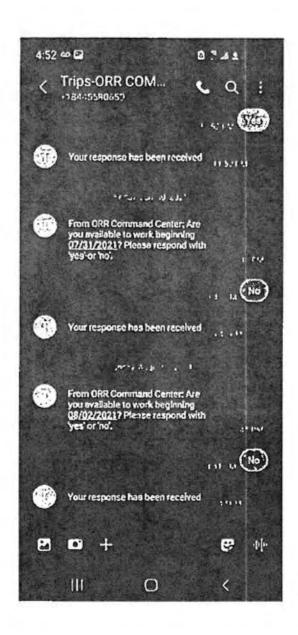


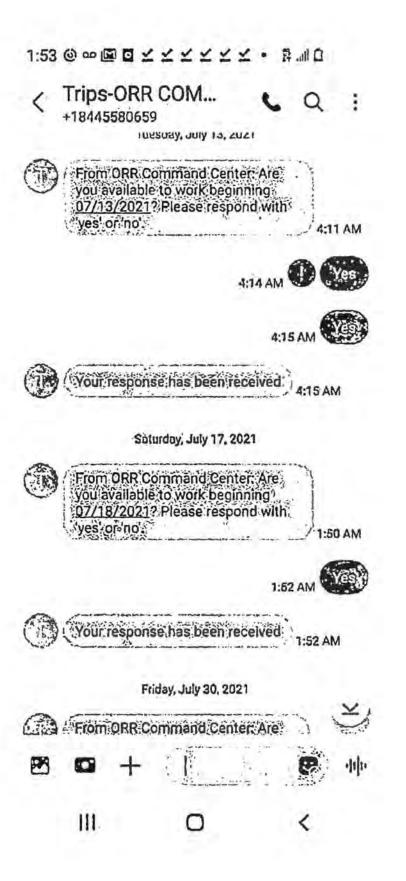
The Plaintiff was subject to different work terms and conditions as a subcontractor for the Defendant. The Defendant did not subject any subcontractor of a different race to the work terms and conditions they required the Plaintiff to fulfill, where if the subcontractor did not satisfy the signing of the second NDA by the Defendant (1) their assignment ended and (2) the Defendant will not hire the subcontractor because the Defendant said the subcontractor "is not able to be rehired".

# Work Assignments received after July 15th, 2021

For approximately three months after the Defendant, Headways Workforce Solutions, and Delta-T Group ended the Plaintiffs assignment with the Defendant, the Defendant and ORR continued to call the Plaintiff and offer the Plaintiff work assignments however the Defendant, Headway Workforce Solutions and Delta-T Group did not allow the Plaintiff to accept the Work assignments (Exhibit 13).

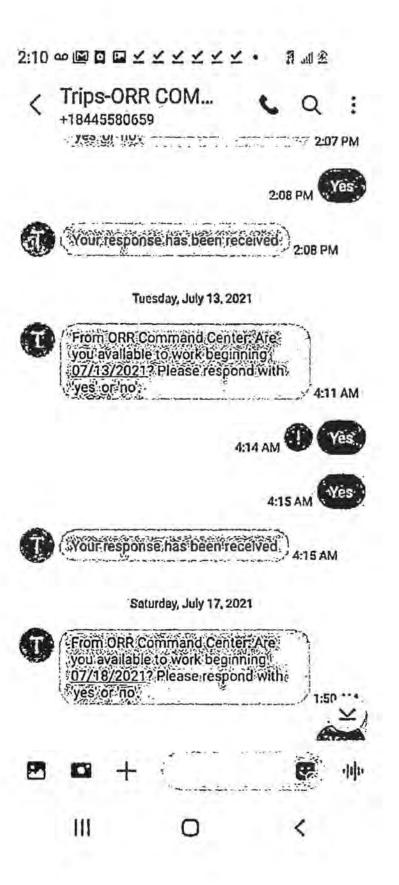
Exhibit 13(Work assignments)

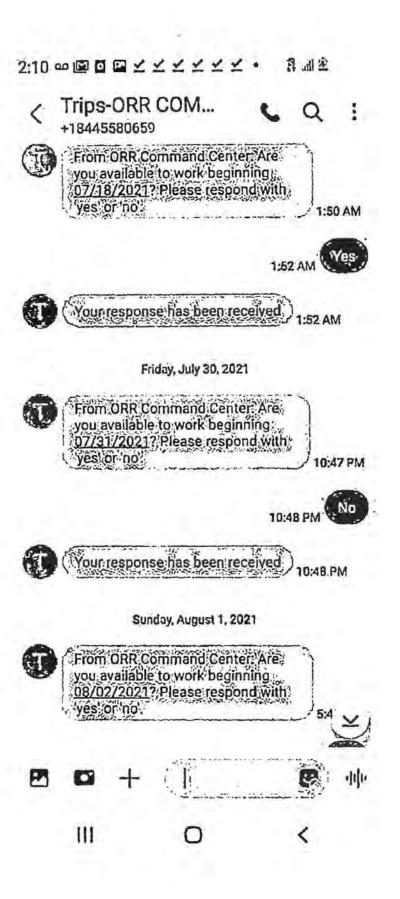


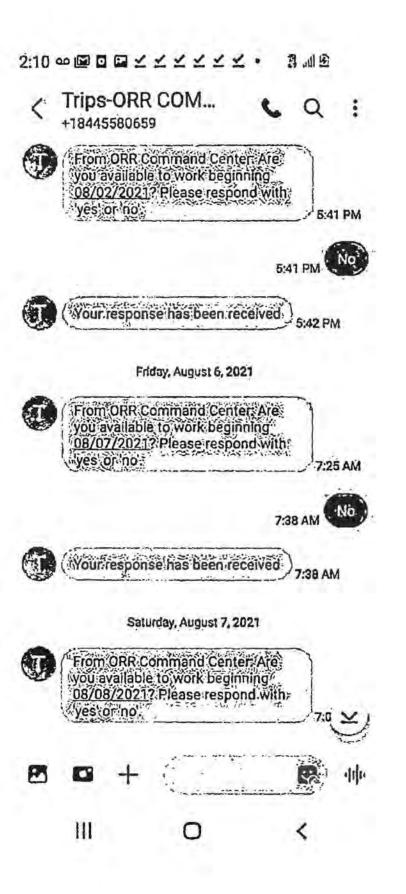


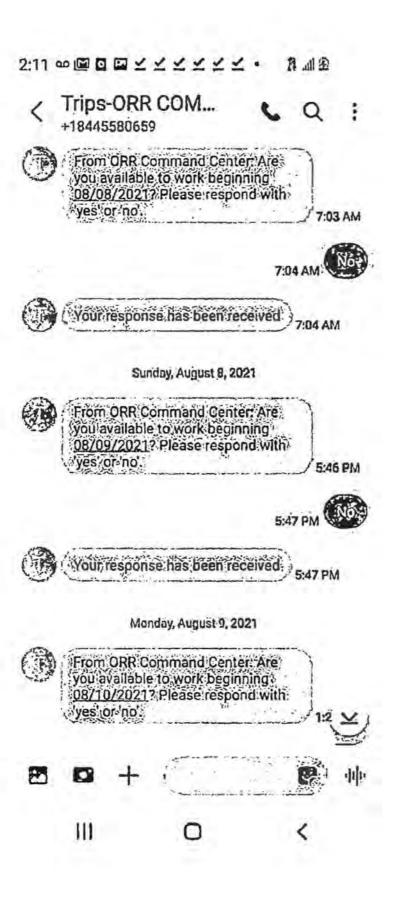


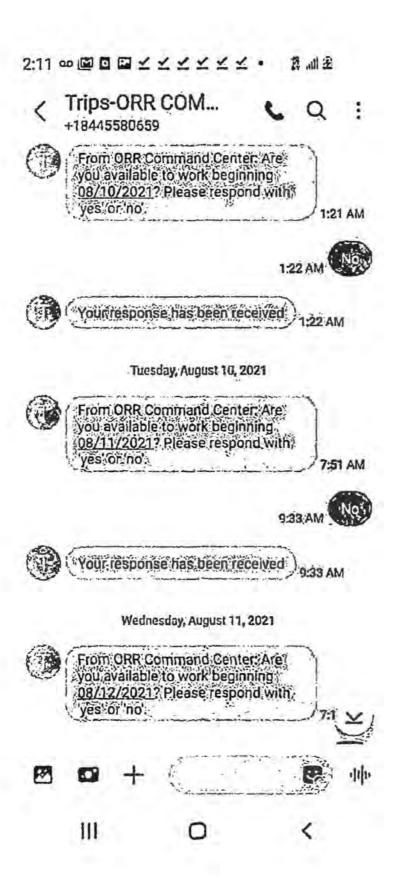


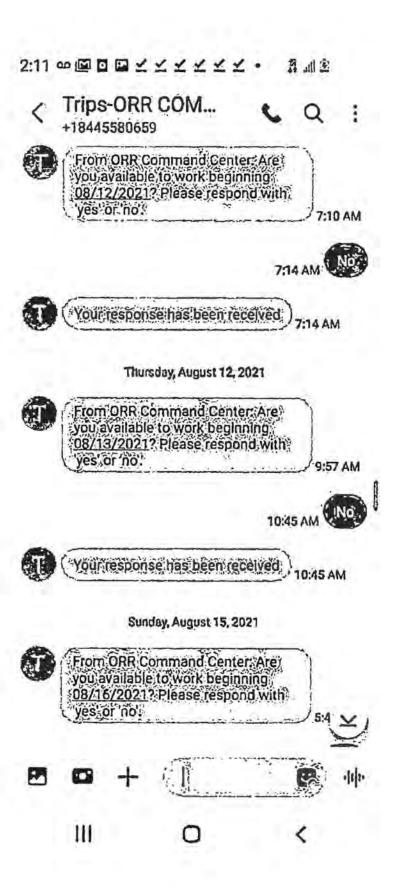


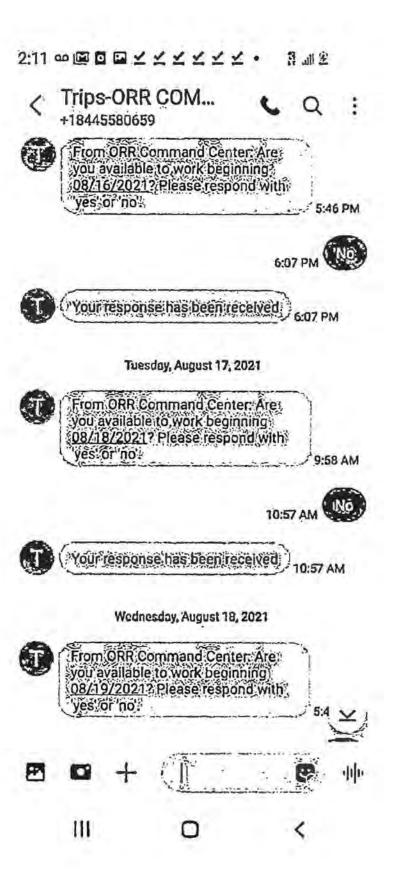


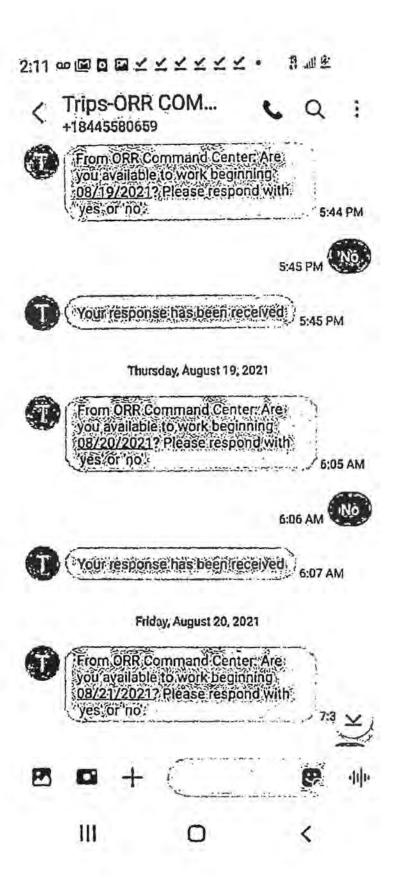


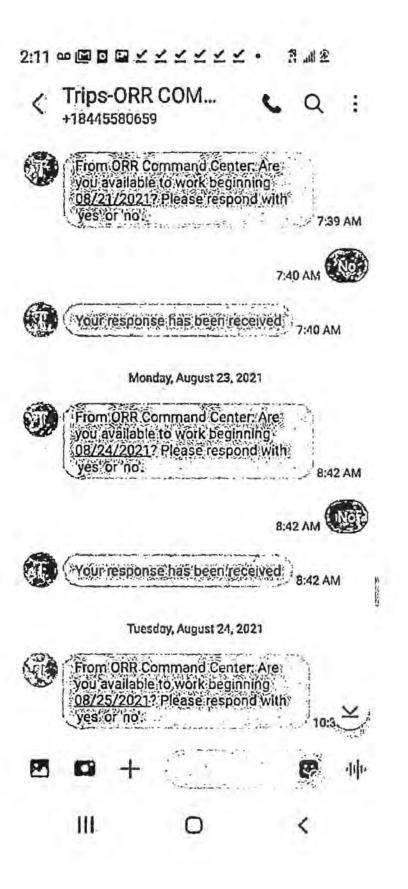


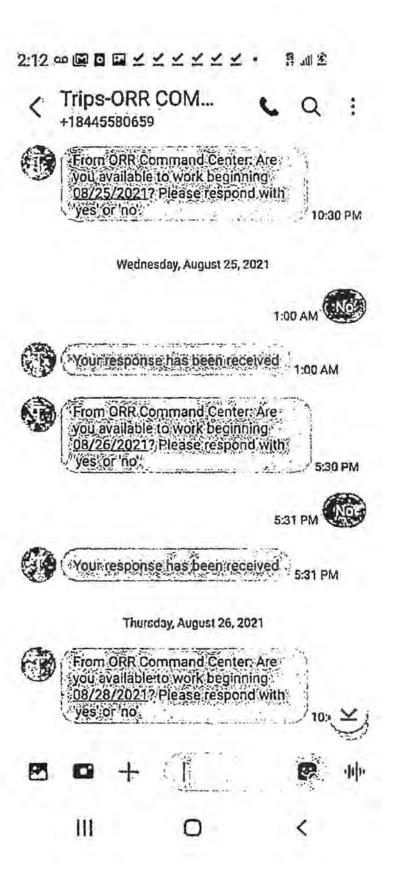


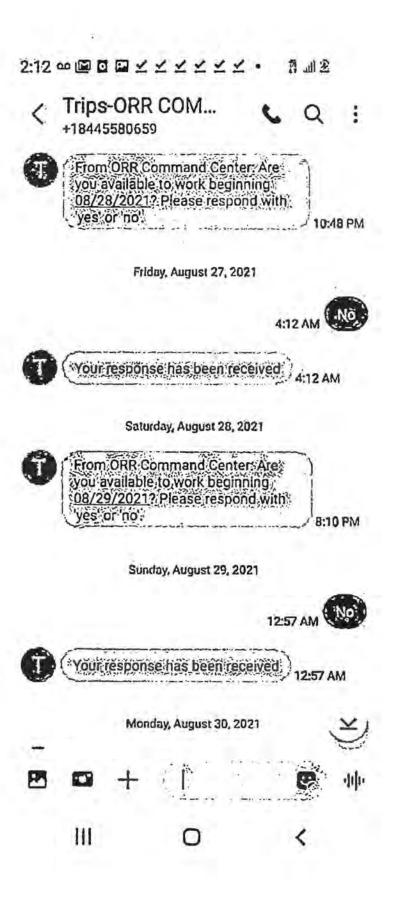


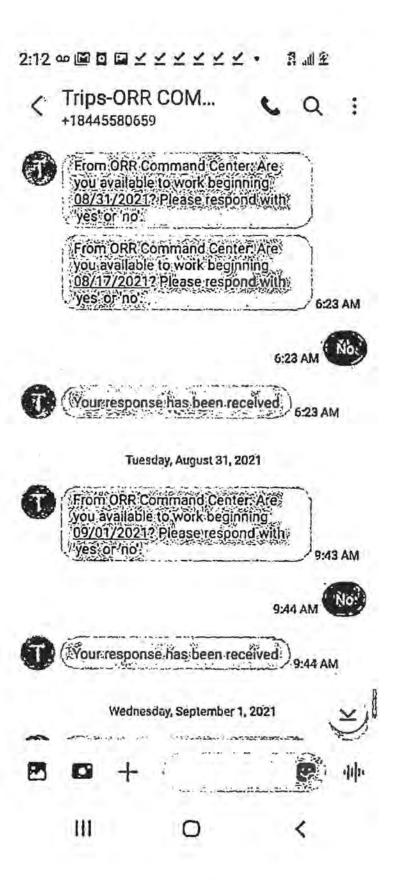


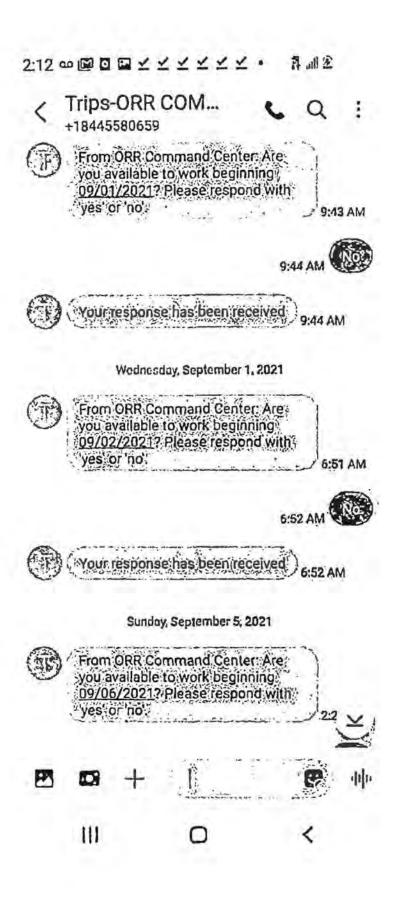


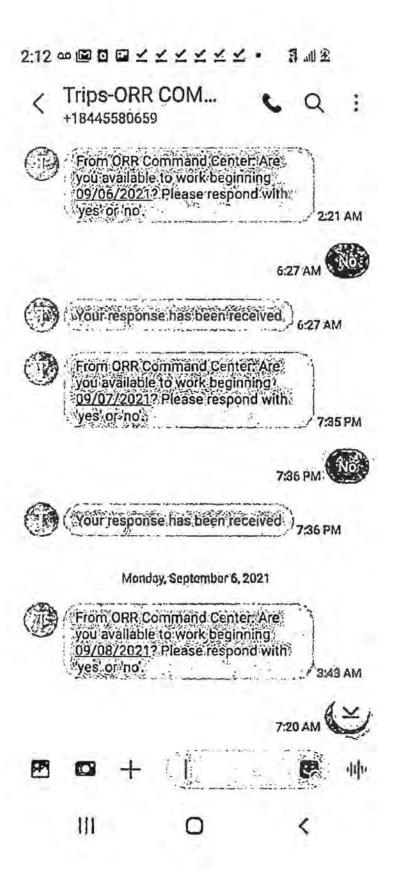


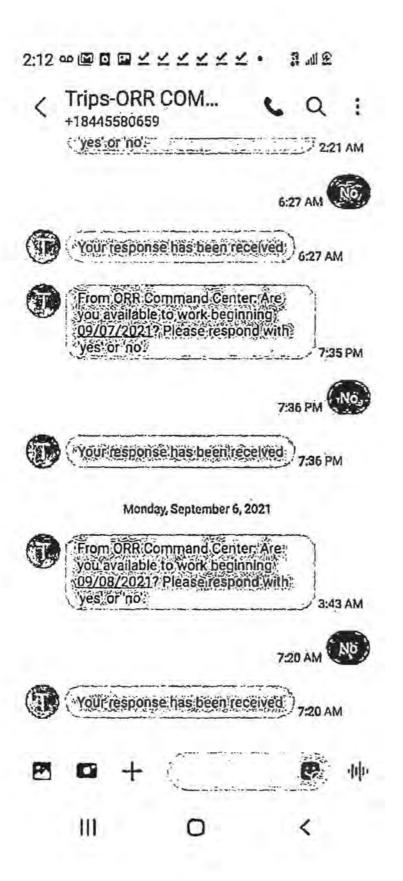




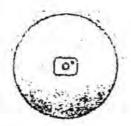








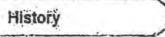




# **Command Center 7**

Mobile +1 571-895-3339







Aug 25 8:03 AM
Outgoing call/Mobile/0 mins 50 sec

Aug 25 7:10 AM
Missed call/Mobile

Aug 24 7:07 AM
Outgoing call/Mobile/1 min 11 secs

Aug 24 7:06 AM
Incoming call/Mobile/0 mins 9 sec

Aug 21 7:35 AM Incoming call/Mobile/0 mins 47 sec

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# Command Center 4 +1 571-479-0005♥







### View contact details

### History

- Today 3:32 AM Incoming call, 1 min 1 sec
- Yesterday 10:01 PM Incoming call, 1 mln 44 secs
- Yesterday 8:34 PM Incoming call, 0 mins 59 sec









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# **Command Center 4**

+1 571-479-0005@







View contact details

History

- Today 3:32 AM Incoming call, 1 min 1 sec
- Yesterday 10:01 PM Incoming call, 1 min 44 secs
- Yesterday 8:34 PM Incoming call, 0 mins 59 sec





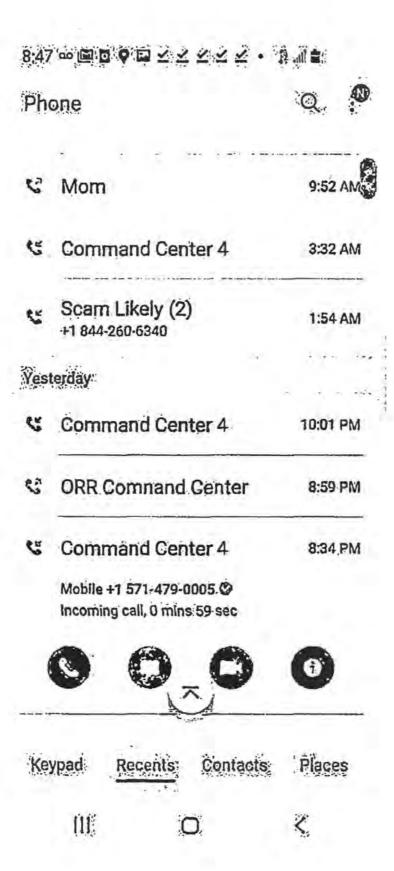


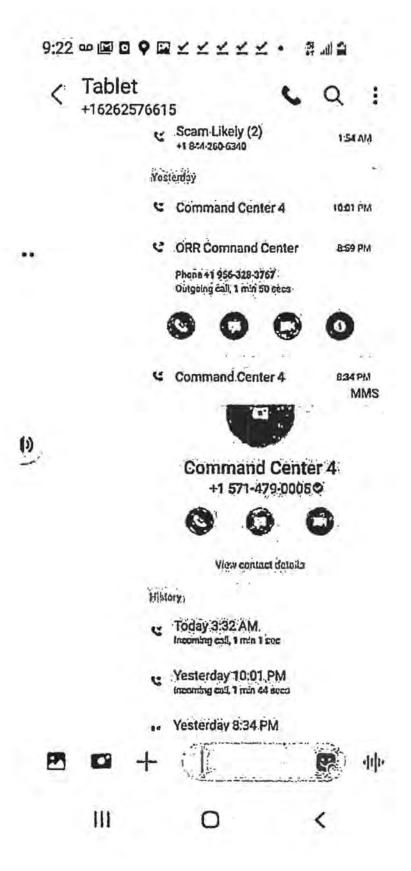


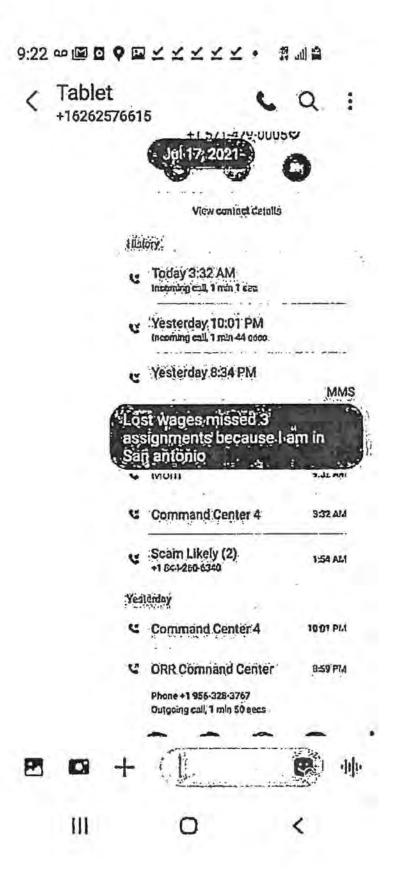
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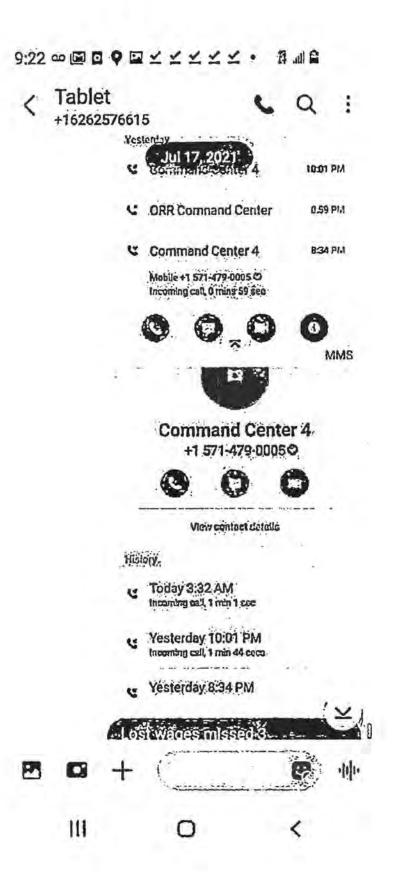


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# **Command Center 4**

+1 571-479-0005@



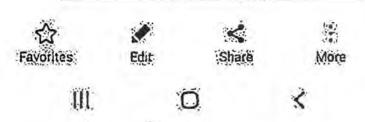




#### View contact details

History.

- Aug 30 7:22 AM Incoming call, 0 mins 44 sec
- Aug 26 10:09 AM Incoming call, 0 mins 36 sec
- Aug 21 7:19 AM Incoming cell, 1 min 20 secs
- Aug 17 6:42 AM
  Outgoing call, 1 min 46 secs







# Command Center 4 +1 571-479-0005♥







#### View contact details

History

- Today 10:04 PM Incoming call, 1 min 11 secs
- Yesterday 1:07 PM Incoming call, 1 min 31 secs
- Jul 17 3:32 AM Incoming call, 1 min 1 sec



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History

- Today 11:47 PM Incoming call, 2 mins 36 sec
- Jul 4 1:49 AM Incoming cell, 2 mins 28 sec

Add Share Block More

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## Command Center 4 +1 571-479-0005 ♥







View contact details

History

- Jul 20 5:19 PM Incoming call, 1 min 40 secs
- Jul 19 10:04 PM Incoming call, 1 min 11 secs
- Jul 18 1:07 PM Incoming call, 1 min 31 secs







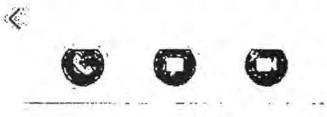


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#### View contact details

#### History.

- Jul 20 5:19 PM Incoming call, 1 min 40 secs
- Jul 19 10:04 PM Incoming call, 1 min 11 secs
- Jul 18 1:07 PM Incoming call, 1 min 31 secs
- Jul 17 3:32 AM Incoming call, 1 min 1 sec
- Jul 16 10:01 PM Incoming call, 1 min 44 secs
- Jul 16 8:34 PM Incoming call, 0 mins 59 sec



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Phone		Q 🔊
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Ç	Mom	11:54 AM
C	Mom	10:52.AM
62	Mom (2)	10:48 AM
	19,2021	
C.	+1 571-895-5194 ∅	11:47 PM
હ	Mom	10:08 PM
C.	Command Center 4	10:04 PM
62	Mom	9:57 PM
C	(210) 618-5807	2:39 PM
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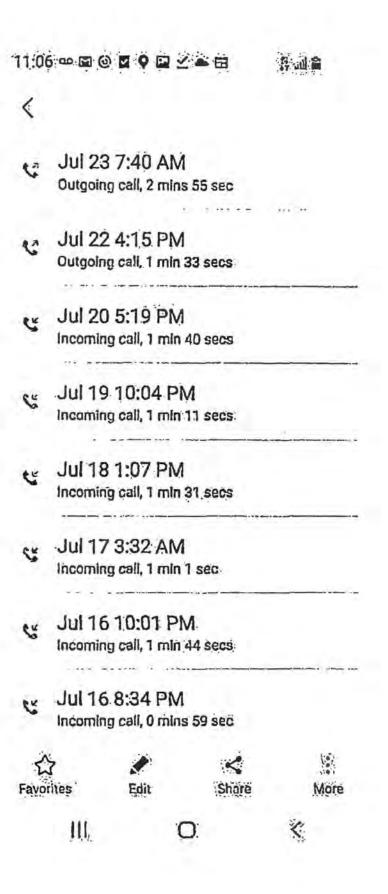


Favorites

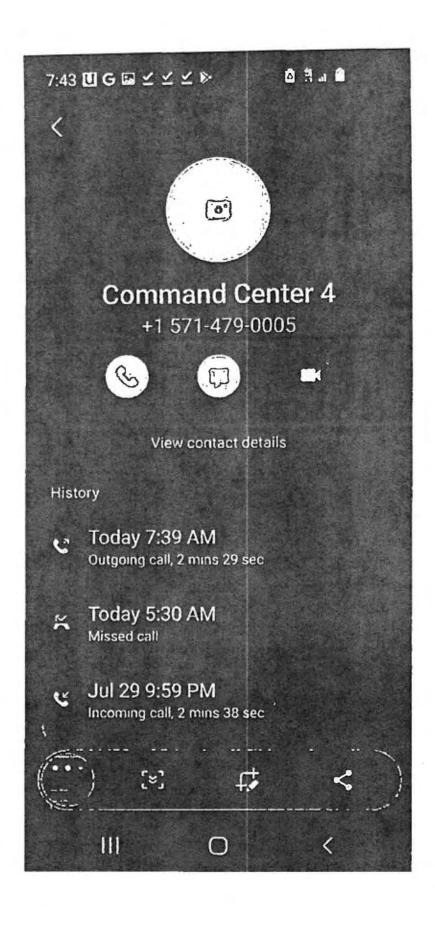
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Share

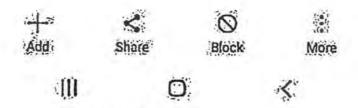








Today 5:00 AM Incoming call, 1 min 5 secs







# Command Center 4 +1 571-479-0005♥







View contact details

History

- Aug 4 1:43 PM Incoming call, 1 min 4 secs
- Aug 3 6:13 PM Incoming call, 1 min 7 secs
- Jul 31 7:48 AM Incoming call, 1 min 17 secs





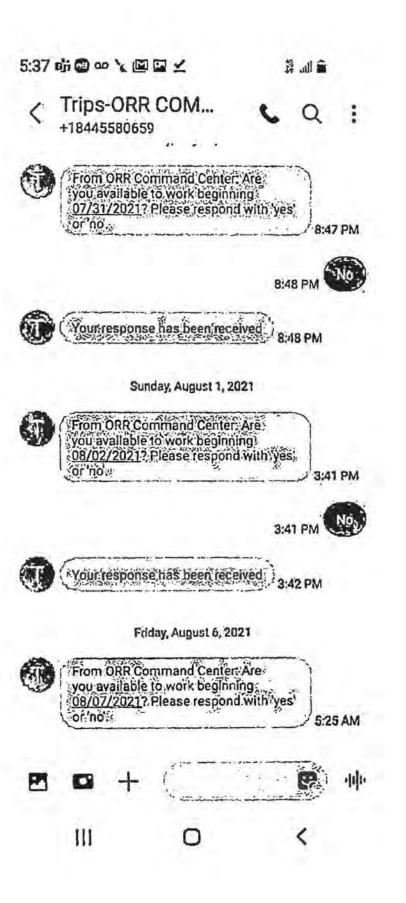




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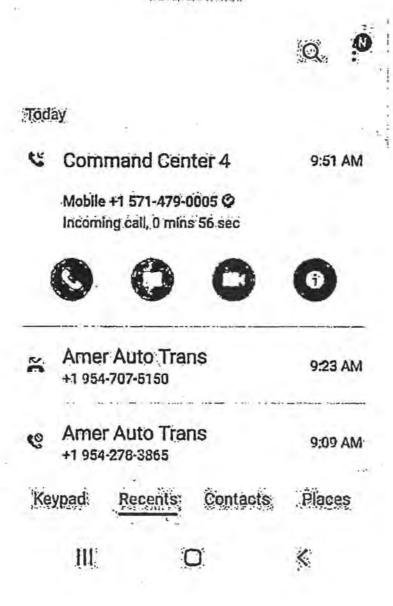




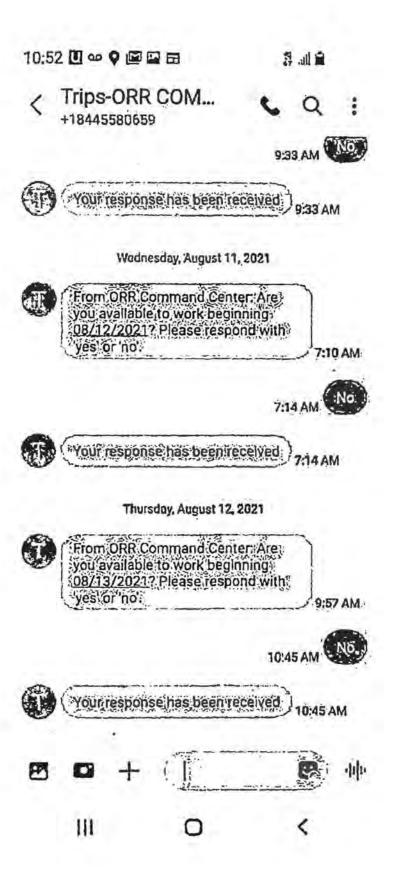


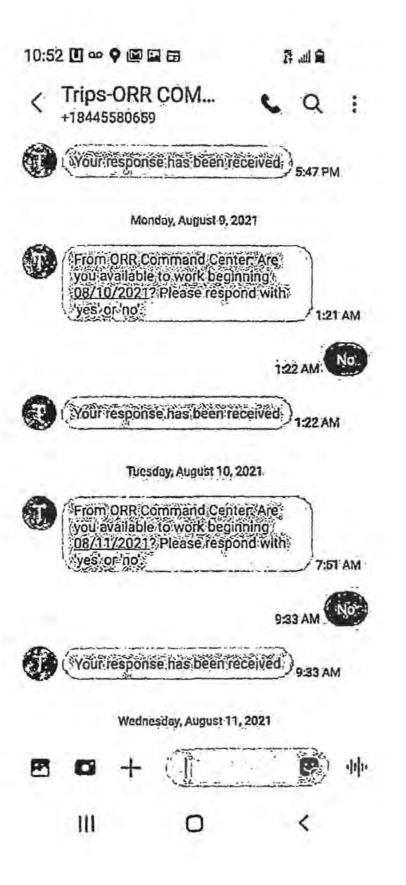
# Phone

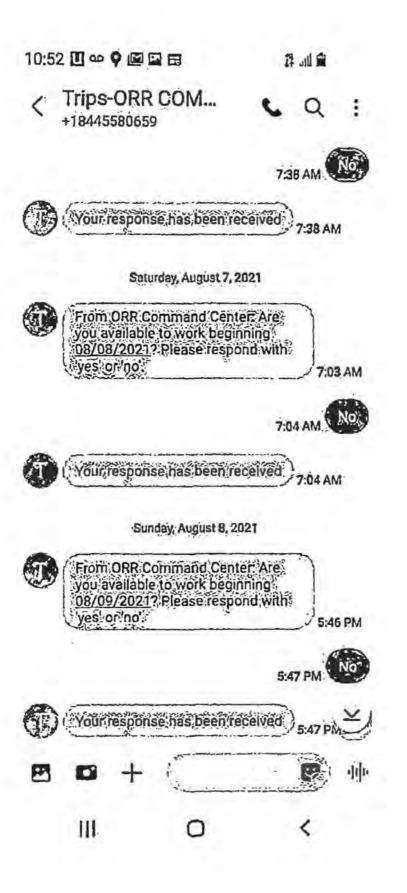
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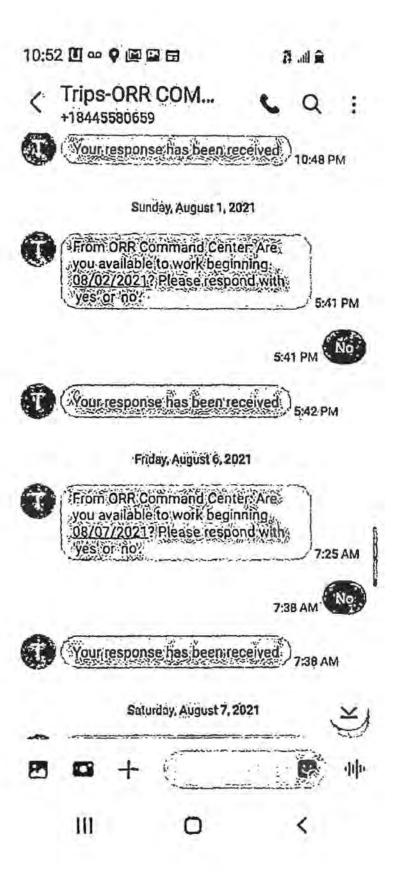




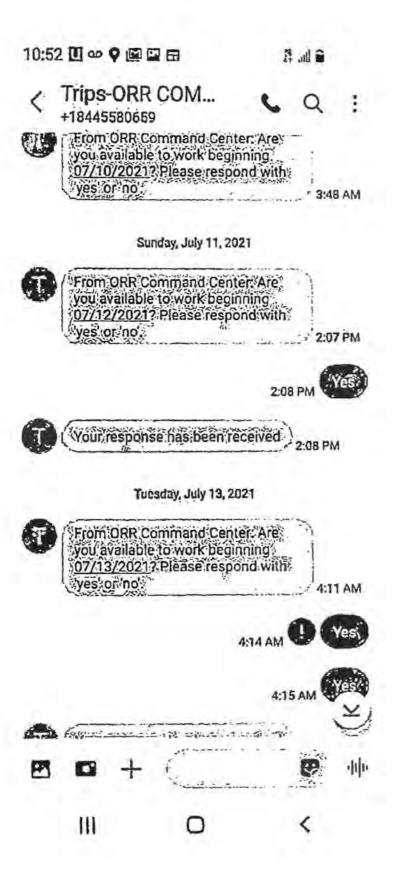












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# Command Center 4 +1 571-479-0005♥







View contact details



- Today 6:02 AM Incoming call, 1 min 23 secs
- Aug 6 11:51 AM Incoming call, 0 mins 56 sec
- Aug 4 3:43 PM Incoming call, 1 min 4 secs





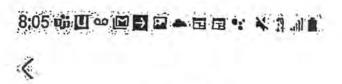




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# **Command Center 7**

+1 571-895-3339







View contact details

History

- Today 8:03 AM
  Outgoing call, 0 mins 50 sec
- Today 7:10 AM

  Missed call
- Yesterday 7:07 AM
  Outgoing call, 1 min 11 secs
- Yesterday 7:06 AM Incoming call, 0 mins 9 sec
- Aug 21 7:35 AM





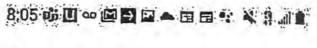




(III









# **Command Center 7**

+1 571-895-3339







View contact details

#### History

- Today 8:03 AM
  Outgoing call, 0 mins 50 sec
- Today 7:10 AM
  Missed call
- Yesterday 7:07 AM
  Outgoing call, 1 min 11 secs
- Yesterday 7:06 AM Incoming call, 0 mins 9 sec
- Aug 21 7:35 AM Incoming call, 0 mins 47 sec









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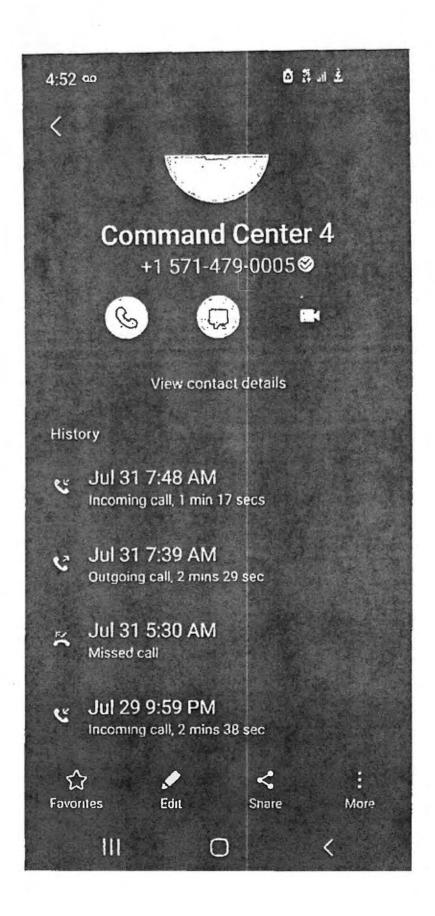


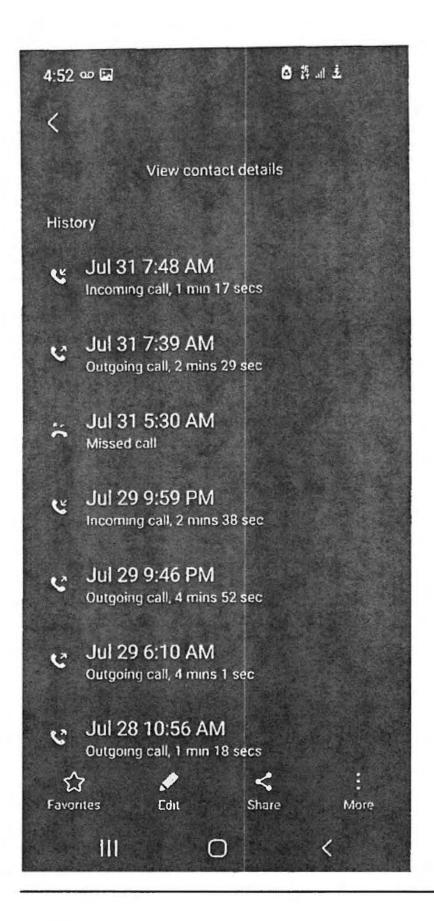


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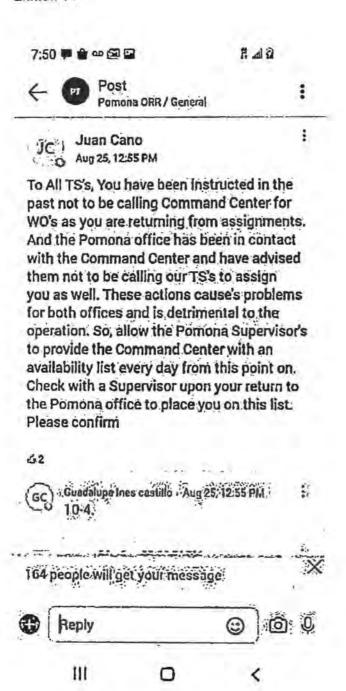




### Command Center Request

The Defendant requested that command center stop calling the employees and subcontractors to provide them work request (Exhibit 14). After that request by the Defendant, the Plainitff stopped receiving the work assignments from the command center.

#### Exhibit 14



#### Qualified For the Position

In the Defendants document, the Defendant states that the reason the Plaintiff was not hired was because the Plaintiff could not speak Spanish. Spanish was not a requirement when submitted and as a result the Plaintiff meet all the requirements and should have been hired by the Defendant (Exhibit 15).

#### Exhibit 15

Ro Carone, Federal Investigator June 17, 2072

Spanish Assessment Screening is pass/fail and requires applicants to answer a series of four simple guestions in Spanish. For example, one of the questions is: "¿Porque le guista trabajar con niños? / Why do you like working with children?" See Exhibit 4, Charging Party's Spanish Assessment Screening. Charging Party could not answer the questions in Spanish. Indeed, he did not even attempt to answer any of the questions. See Id. As a result, he failed his Spanish Assessment Screening and was not hired for the Billingual Travel Youth Care Worker position. Ms. Campbell advised Charging Party if he became fluent in both English and Spanish, he would meet the requirements for the position and could reapply.

Charging Party did not reapply for a position with MVM and was never hired.

III. MVM DID NOT SUBJECT CHARGING PARTY TO DISCRIMINATION OR RETALIATION

Charging Party's allegations of race discrimination and retaliation are without faction and legal ment and must be dismissed.

A Charging Party's Race Discrimination Claim to Particular Units Asset

MILI

Michael J. Holmes

Case No:2022CV05426

335 Kemper Street

San Antonio, TX 78207

(626) 373-4331

Plaintiff Pro Se Litigant

Michael J. Holmes,

Bexar County Courts

100 Dolorosa Street

Plaintiff

San Antonio TX, 78205

VS.

Position Statement

MVM INC.

Defendant

#### **Table of Contents**

- 1. Three Applications Were Submitted...page 3-4
- The Defendant did Not Receive The Plaintiffs Application Before May 17th, 2021...page
- 3. Not Able To Be Rehired By the Defendant...page 5-7
- 4. Direct Message from the Plaintiff's Supervisor...page 7-8
- 5. Discrimination...page 9
- 6. No Spanish Question/s were Asked...page 9-14
- 7. Direct Contact with the Defendant...page 15-17
- 8. After The July 21st Interview ... page 17
- 9. Temporary Duty Station Assignment Ended...page 20
- 10. Discrimination Based On Race...page 20-21
- 11. Three Reported Workplace Incidents... page 21
- 12. After Signing the First NDA...page 21
- 13. Direct Contact With The Defendant...page 22-24
- 14. The Old and New Job Requirements...page 25-49
- 15. Discrimination Based On Race...page 49-57
- 16. Work Assignments Received After July 15th, 2021...page 58-111
- 17. Command Center Request...page 112-113
- 18. Qualified For the Position...page 114

### **Position Statement**

#### 15 Exhibits-Attached

#### Hosea 12:6 Maintain love and justice.

### Three Applications Were Submitted

71

The Plaintiff submitted three applications to the Defendant., one for their logistics position, and two for their Travel Youth Care Worker Position that did not have being fluent in Spanish as a requirement. (Exhibit 1).



# Michael Holmes -Candidate Home

### My Tasks

No tasks to complete.

### **Submitted Applications**

Jop	Stalus	Artions
Youth Cate Worker - ORR Pomons	Under consideration	Manag
Logistics Specialist	Under consideration	Manag
2017		
Youth Care Viorker	Under consideration	Manag
Search to	or Jobs	

## The Defendant did Not Receive The Plaintiffs Application Before May 17th, 2021

The Plaintiff applied for the Travel Youth Care Worker Position after the Plaintiff was hired by Headway Workforce Solutions, and Delta-T Group as a subcontractor for the Defendant on or around May 16<sup>th</sup>, 2021. The Plaintiff did not know about the Defendant until May, 2021.

#### Not Able To Be Rehired By the Defendant

On August 9<sup>th</sup>, 2021 at approximately 11:00am the Plaintiff called the Defendant to provide a update regarding the Plaintiffs progress in becoming fluent in Spanish. The Plaintiff began the conversation with a complete sentence spoken in Spanish. The Defendant stated "Michael it sounds good, and thank you for sending the email (Exhibit 2),

(Exhibit 2: Email-the Plaintiff also applied to be a logistics specialist for the Defendant)

# Re: R-2100701 Logistics Specialist





me

To campbells@mvminc.com Jul 30, 2021 at 8:18 AM

@ 1 attachment

Gracias. Me entrevistaron el 21 de julio de 2021. A amazing person named Ms. Campbell interviewed me for the TS position. and stated that she enjoyed the interview and that in approximately 3 months I can call back once I have become fluent in Spanish. He estado estudiando y memorizando las oraciones y frases y me encanta. This opportunity and possibility is amazing. I love being apart of such a amazing organization, where everyone's goal is to help, and inspire everyone. 1 world 1 family.

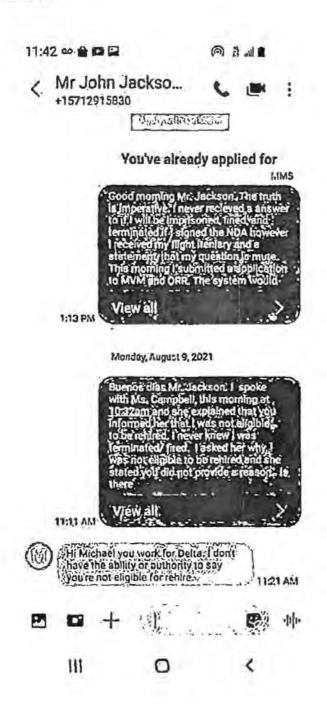
> Show original message

however your supervisor told us that you are not eligible to be rehired". The Plaintiff asked the Defendant "what is the reason that was given to you". The Defendant said "there was no reason provided".

#### Direct Message from the Plaintiffs Supervisor

After the Plaintiffs phone call with the Defendant, the Plaintiff contacted n the Plaintiffs supervisor Mr. John Jackson via text message and the Plaintiff texted, "Buenos dias Mr. John Jackson. I spoke with Ms. Campbell, this morning at 10:32am and she explained that you informed her that I was terminated /fired. I asked her why, I was not eligible to be rehired and she stated you did not provide a reason. Is there any information you can provide me"? At II:21am Mr. John Jackson replied via text message, Hi Michael you work for Delta. I don't have the ability or authority to say you're not eligible for rehire (Exhibit 3).

### Exhibit 3



9

## Discrimination

The Plaintiff is a Black male that has be discriminated against by the Defendant because of the Plaintiffs race.

Solutions and Delta-T Group) of a different race, and 1)gave them a time frame to become fluent in Spanish 2) provided the applicant/subcontractor the direct number to call the Defendant to provide updates, to when that applicant/subcontractor will be ready to have a fluent conversation with the Defendant to fulfill the (alleged) requirement to speak fluent Spanish, then tell the applicant/subcontractor that the applicant's supervisor stated that the applicant/subcontractor could not be rehired by the Defendant that the applicant/subcontractor was never hired by.

No Spanish Questions Were Asked